

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAUL T. GUDANOWSKI,
Plaintiff,

v.

JOHN DOE # 1, N.Y. STATE TROOPER, et al.,
Defendants.
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ORDER

20 CV 111 (VB)

Plaintiff commenced the instant action against defendants John Doe #1, N.Y. State Trooper, et al., by filing a complaint dated December 28, 2019, which was entered on the docket on January 6, 2020. (Doc. #1).

On March 4, 2020, the Court entered a Valentin Order which ordered the Attorney General to ascertain the identities of the 10 John Doe defendants plaintiff sought to sue in his complaint and provide such information to the plaintiff and the Court by May 4, 2020. (Doc. #7). The Court further ordered plaintiff to file an amended complaint naming the John Doe defendants within 30 days of receiving this information from the Attorney General and attached to the Order an amended complaint form for that purpose. (Id.).

On April 6, 2020, the Clerk docketed an amended complaint. (Doc #9). Plaintiff had filled out the amended complaint form attached in Doc. #7, summarizing within the amended complaint some allegations from the original complaint and adding new allegations not pleaded in the original complaint. (Id.).

Plaintiff's filing is improper. The amended complaint does not comply with the Court's March 4, 2020, Order to file an amended complaint naming the John Doe defendants identified by the Attorney General. Indeed, it cannot name the John Doe defendants because the Attorney General has not yet supplied such information.

Accordingly, the amended complaint will be stricken from the docket.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to the plaintiff at the address on the docket.

The Clerk is instructed to strike from the docket plaintiff's amended complaint.
(Doc. #9).

Dated: April 8, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge